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Attorneys for Defendant and Counterclaim Plaintiff AMERICAN  
HOME BANK (formerly known as FLOWER BANK, FSB  
and UMBRELLA BANK, FSB)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

DRAHA HERMAN,  
  
Plaintiff,  
  
v.

UMBRELLA BANK, FSB, a Federal  
Savings Bank; FLOWER BANK, FSB, a  
Federal Savings Bank; AMERICAN  
HOME MORTGAGE INVESTMENT  
CORPORATION, Maryland Corporation,  
dba AMERICAN HOME MORTGAGE  
ACCEPTANCE, INC. and DOES 1-50,  
inclusive,

Defendants.

FLOWER BANK, FSB, a Federal Savings  
Bank,

Counterclaim Plaintiff,

v.

DRAHA HERMAN,

Counterclaim Defendant.

Case No. C 06-7708 MJJ

**STIPULATED REQUEST FOR  
TELEPHONIC APPEARANCE AND  
~~[PROPOSED]~~ ORDER**

Date: ~~April 24, 2007~~ May 1, 2007  
Time: ~~2:00 p.m.~~ 1:45 p.m.  
Courtroom: 11  
Judge: Honorable Martin J. Jenkins

Pursuant to Civil Local Rules 7-1 and 7-12, Defendant and Counterclaim Plaintiff American Home Bank (formerly known as Flower Bank, FSB and Umbrella Bank, FSB) ("Defendant") and Plaintiff and Counterclaim Defendant Draha Herman ("Plaintiff"), by and through their attorneys of record, hereby stipulate as follows:

WHEREAS Civil Local Rule 16-10(a) allows for requests to participate in Case Management Conferences by telephone;

WHEREAS at the Case Management Conference scheduled for April 24, 2007 at 2:00 p.m., Defendant requests that its lead trial counsel, Michael D. Hayes, be allowed to participate by telephone;

WHEREAS Mr. Hayes and counsel for Plaintiff have agreed to a proposed discovery schedule and a proposed case management schedule as stated in the Joint Case Management Statement filed on April 16, 2007;

WHEREAS Mr. Hayes works in Chicago, Illinois, and Defendant wishes to avoid the expense that would result from requiring his travel to San Francisco to appear at the Case Management Conference where, as here, Mr. Hayes and counsel for Plaintiff have cooperated in the drafting of an agreed Joint Case Management Statement, have agreed to a proposed discovery schedule and a proposed pre-trial schedule, and do not anticipate that any major issues will arise at the Case Management Conference;

WHEREAS Defendant also will be represented at the Case Management Conference by its local counsel, Eric M. Lode, who will appear in person;

WHEREAS counsel for Plaintiff intends to appear in person at the April 24, 2007 Case Management Conference, but does not object to allowing Mr. Hayes to make a telephonic appearance at the Case Management Conference;

THEREFORE, IT IS STIPULATED as follows:

To petition the Court to allow lead trial counsel for Defendant to appear telephonically at the April 24, 2007 Case Management Conference.

1 Dated: April 18, 2007

FOLGER LEVIN & KAHN LLP

3 /s/

Eric M. Lode

4 Attorneys for Defendant and Counterclaim Plaintiff  
5 AMERICAN HOME BANK

6 Dated: April 18, 2007

SCHEER & IMFELD, LLP

8 /s/

Austin D. Garner

9 Attorneys for Plaintiff and Counterclaim Defendant  
10 DRAHA HERMAN

11 Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest  
12 under penalty of perjury that concurrence in the filing of the document has been obtained from  
13 Austin D. Garner.

14 Dated: April 18, 2007

15 By: /s/

Eric M. Lode

16 Attorneys for Defendant and Counterclaim Plaintiff  
17 AMERICAN HOME BANK

18  
19 PURSUANT TO STIPULATION, IT IS ORDERED that lead trial counsel for Defendant may  
20 participate by telephone at the April 24, 2007 Case Management Conference.

21 BOTH PARTIES SHALL APPEAR BY PHONE, CALLING CHAMBERS IN A JOINT  
22 CALL AT 1:45 PM, AT (415) 522-4141.

23 Dated: April 20, 2007

24 

25 The Honorable Martin J. Jenkins  
26 United States District Court Judge

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